

REMARKS

Pursuant to 37 CFR § 1.114, the Applicants submit the following amendment and remarks in addition to the fee set forth in 37 CFR § 1.17(e). The Applicants respectfully request reconsideration in view of the following remarks and amendments. The Applicants respectfully request reconsideration in view of the following remarks and amendments. Claims 1 and 7 are amended. Claims 2 and 8 are canceled. Accordingly, claims 1, 3-7, and 9-12 are pending in the application.

I. Claims Rejected Under 35 U.S.C. § 103

Claims 1, 6, 7, and 12 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent Publication No. 2003/0133627 filed by Brehmer et al. (hereinafter “Brehmer”) in view of U.S. Patent No. 6,670,904 issued to Yakovlev et al. (hereinafter “Yakovlev”).

As can be seen from the above amendment, claims 2 and 8 are canceled and claims 1 and 7 are merely amended in order to particularly point out and distinctly claim the subject matter of the present invention without adding any new matter. In this Final Office Action, claims 2 to 5 and 8 to 11 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Examiner conceded (see page 5) that the cited art fails to teach or suggest the elements recited in claims 2 and 8. The amended independent claims 1 and 7 now include all of the limitations of allowable claims 2 and 8, respectively. In light of the amendment, claims 2 and 8 are now canceled. Therefore, the Applicants believe that all pending claims are now patentable over the cited art in light of the Examiner’s reasons for granting allowance of dependent claims 2 and 8. Accordingly, reconsideration and withdrawal of the rejection of claims 1, 6, 7, and 12 are respectfully requested.

II. Allowable Subject Matter

The Applicants respectfully acknowledge with appreciation the Examiner’s indication that claims 2-5 and 8-11 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Claims 2-5 and 8-11 depend from claims 1 and 7 and incorporate the limitations thereof. As previously discussed, claims 1 and 7 have been amended to incorporate the limitations recited in allowed claims 2 and 8. In light of the amendment, claims 2 and 8 are canceled. Therefore, the Applicants submit that claims 1 and

8, along with their respective dependent claims, are in condition for allowance. Accordingly, the Applicants respectfully request consideration and allowance of claims 1, 3-6, 7, and 9-12 at the Examiner's earliest convenience.

CONCLUSION

In view of the foregoing, it is believed that all claims now pending patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207 3800.

Respectfully submitted,

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